

1 Steven B. Stein, Esq. (SB#52829)
LAW OFFICE OF STEVEN B. STEIN
2 44 Montgomery Street, 36th Floor
San Francisco, CA 94104
3 Tel: (415) 646-7171
Fax: (415) 981-1095
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Attorneys for Plaintiffs NANCY FLORES
5 LESSLER AND MARK D. LESSLER
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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 NANCY FLORES LESSLER and MARK D.
LESSLER,

12 Plaintiffs,

13 vs.

14 AVI STRUGO,

15 Defendant.
16

Case No.: C07-04409

**STIPULATION AND ORDER OF
DISMISSAL**

17 The parties to the above-captioned case, by their attorneys and pursuant to Federal Rule
18 of Civil Procedure 41, hereby stipulate that the claims of Plaintiffs Nancy Flores Lessler and
19 Mark D. Lessler against Defendant Avi Strugo are hereby dismissed WITH PREJUDICE.

20 Each party to bear its own costs and attorneys' fees.

21 ~~This Court shall retain jurisdiction to enforce the parties' Settlement Agreement.~~
22

23 DATED: April 4, 2008

LAW OFFICE OF STEVEN B. STEIN

24
25 By 

26 Steven B. Stein
Attorneys for Plaintiffs NANCY FLORES
27 LESSLER AND MARK D. LESSLER
28

1 DATED: April ²¹/₄, 2008

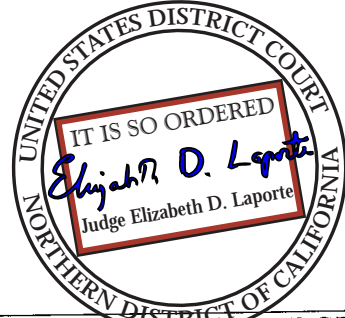
BULLIVANT HOUSER BAILEY PC

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4 By

J. Douglas Durham
Attorneys for Defendant,
AVI STRUGO

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8 IT IS SO ORDERED.

9
10 DATED: April 28, 2008



11 UNITED STATES DISTRICT COURT JUDGE
12 MAGISTRATE

13 10492347.1

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

Nancy Flores Lessler, et al. v. Avi Strugo;
 USDC, Northern District, San Francisco Division, Case No. 2:05-C07-04409

I am a citizen of the United States and am employed in Sacramento County, where this mailing occurs. My business address is 1415 L Street, Suite 1000, Sacramento, California 95814. I am over the age of 18 years and not a party to the within cause.

On April 21, 2008, following ordinary business practice, I served the foregoing document(s) described as:

• **STIPULATION AND ORDER OF DISMISSAL**

in the following manner, by placing a true copy/true copies thereof in a sealed envelope/sealed envelopes, addressed as follows:

Thomas E. Fraysse
 Samuel J. Bristol
 Knox Rickson LLP
 1300 Clay Street, Suite 500
 Oakland, CA 94612-1427
 Tel: (510) 285-2500
 Fax: (510) 285-3505

[Attorneys for Plaintiffs Nancy Flores Lessler
 and Mark D. Lessler]

Steven B. Stein
 Levin Simes Kaiser & Gornick
 44 Montgomery Street, 36th Floor
 San Francisco, CA 94104
 Tel: (415) 646-7171
 Fax: (415) 981-1095
 [Co-Counsel for Plaintiffs Nancy Flores Lessler
 and Mark D. Lessler]

(BY MAIL) I caused such envelope(s) with First Class postage thereon fully prepaid to be placed in the U.S. Mail in Sacramento, California. I am readily familiar with my employer's normal business practice for collection and processing of correspondence and other material for mailing with the United States Postal Service, and that practice is that said material is deposited with the United States Postal Service the same day as the day of collection in the ordinary course of business.

(BY PERSONAL SERVICE) I caused such envelope(s) to be hand-delivered by an authorized attorney messenger service, this date to the offices of the addressee(s).

(BY FEDERAL EXPRESS) I caused such envelope(s) to be delivered in a sealed Federal Express package, delivery fees for which are billed to this firm's account, to a Federal Express office for next-morning delivery. I am readily familiar with the business practices of my employer for the collection and processing of correspondence for mailing with Federal Express delivery service.

(BY FACSIMILE) I personally transmitted the aforementioned document, via facsimile machine, to each of the above listed parties' FAX numbers between the hours of 9:00 a.m. and 5:00 p.m. on _____ and received verification thereafter of each complete transmission.

XXX (BY EMAIL – ESERVICE) I caused to be served upon each party either via (1) their above email address; (2) through Lexis-Nexis Serve and File, or (3) through the court's electronic court filing system.

[X] (FEDERAL) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

EXECUTED on April 21, 2008, at Sacramento, California.


 MARGIE FRANCIS

PROOF OF SERVICE